

**CITY OF ILWACO  
ORDINANCE NO. 771**

**AN ORDINANCE OF THE CITY OF ILWACO, WASHINGTON ESTABLISHING A  
PROCEDURE FOR ADJUSTING WATER BILLS RESULTING FROM A  
METERED WATER LEAK.**

**WHEREAS**, water leaks occur on a regular basis; and

**WHEREAS**, small water leaks can go unnoticed for months; and

**WHEREAS**, the water bills due to excess usage from leaks can create financial hardship for the consumer; and

**WHEREAS**, the City Council of Ilwaco desires to provide a means to adjust the excess portion of the water bill to an equivalent average bill.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ILWACO,  
WASHINGTON, DOES ORDAIN AS FOLLOWS:**

**Section 1. Leak Adjustments.**

In the event a leak or failure of a private water system or private service between the meter and the structure located on private property results in excess consumption, the city may, through a determination of the city administration, provide for a billing adjustment to credit that portion of the overcharge in excess of 300% of the average charge, calculated as a result of the leak.

Leaks due to failure of internal plumbing are specifically not covered by the provisions of this ordinance. This includes leaking faucets, leaking toilets, leaking appliances, etc.

The resulting bill shall be computed using the volume consumed in a billing period when there is a leak that yields a charge that is in excess of the 300% of the average charge for water during the same billing period up to the prior three years on that same meter. If for any reason there is not history of three years, then the entire water consumption history of less than three years shall be used and may adjust the average under unusual circumstances.

**Section 2. Billing Periods Covered.**

In the event a leak goes undetected or initial repairs are not successful and the leak extends into multiple billing periods, an adjustment can be made on up to two consecutive billing periods that are impacted by the leak.

**Section 3. Time for Application.**

Application for a leak adjustment must be made within thirty (30) days from the postmark on the last bill consistent with the provisions of Section 2.

**Section 4. Failure to Respond to Evidence of a Leak**

If, at any time, the city notifies the owner of a possible leak, or if the owner knows of a leak, and if the owner or account holder fail to react in fifteen (15) days, or other reasonable time as determined solely by the city, the city may determine that some part or all of the leak adjustment per Section 1 may be disallowed.

**Section 4. City Form Required.**

Application for a leak adjustment must be made on a form approved by the city and directed to the city administration.

**Section 5. Frequency of Leak Adjustments.**

No more than one application for credit may be considered by the city per water meter in any 36-month period, unless consolidating applications for two consecutive billing periods per Section 2.

**Section 6. Effective Date.**

This Ordinance takes effect and is in full force five (5) days after its passage, approval and publication of an approved summary of the title as provided by law.

**PASSED BY THE CITY COUNCIL OF THE CITY OF ILWACO, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 23RD DAY OF AUGUST, 2010.**

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Mike Cassinelli, Mayor

ATTEST:

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PJ Kezele, Deputy City Clerk

VOTE	Jensen	Chin	Marshall	Greene	Forner	Cassinelli
Ayes						
Nays						
Abstentions						
Absent						

PUBLISHED: September 1, 2010

EFFECTIVE: September 6, 2010